

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. Commodity Futures Trading Commission,

Plaintiff,

V.

Nicholas Cosmo, Agape World, Inc. and Agape Merchant Advance LLC,

Defendants.

09 CV 00351 (LDW-ARL)

**Plaintiff’s Notice of Application for
Entry of Judgment by Default
Against Defendant Nicholas Cosmo
With Ancillary Equitable Relief**

PLEASE TAKE NOTICE that the U.S. Commodity Futures Trading Commission (the “Commission”) is moving pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure for the entry of Judgment by Default and relief including a permanent injunction, civil monetary penalty and other equitable relief against Defendant Nicholas Cosmo.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(b) and Federal Rule of Civil Procedure 6(d), any papers opposing the Commission's motion must be served by October 10, 2012. Any reply papers shall be served in accordance with the Local Civil Rules and Federal Rules of Civil Procedure.

WHEREFORE, the Commission requests that the Court order the entry of Judgment by Default and partial relief including a permanent injunction, civil monetary penalty and other

equitable relief against Defendant Nicholas Cosmo.

Dated: September 26, 2012
New York, New York

Respectfully submitted,
U.S. COMMODITY FUTURES
TRADING COMMISSION, Plaintiff

BY:

/s/ Elizabeth C. Brennan
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Steven Ringer
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